

REMARKS

Claims 1-6 and 13-30 are pending in the application. Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

I. The § 102 Rejections

Claims 1-6, 13-25 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,542,979 to Eckardt ("Eckardt") in view of U.S. Patent No. . Applicant respectfully traverses.

Claim 1, as amended, recites in response to detecting a special boot condition, adjusting a size of a partition of a hardfile to alter an operating system access configuration of the hardfile.

A potential advantage of such a method is that reconfiguration of a user's access to a hardfile of a computer system can be efficiently handled and be set automatically responsive to a special boot condition detected during a pre-boot procedure of the computer system (specification, page 3, lines 13-20).

A. Eckardt Fails To Disclose Adjusting a Size of a Partition of a Hardfile In Response***To Detecting A Special Boot Condition***

Eckardt discloses a supplemental driver that is stored outside of the master boot record of a disk drive, which supplemental driver is used to access a hidden disk partition (see Abstract). The Examiner recognizes that Eckardt fails to disclose adjusting a size of a partition of a hardfile in response to detecting a special boot condition. The Examiner, however, asserts that this limitation absent from Eckardt and recited in claim 1 is disclosed by Rickey.

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B. Rickey Fails To Disclose Adjusting a Size of a Partition of a Hardfile In Response To Detecting A Special Boot Condition

Rickey discloses methods for protecting against viruses on partitionable media (see Abstract). In particular, Rickey discloses eliminating the need to execute boot sector code when booting from a hard drive. This is accomplished by moving the functionality of the hard drive boot sector program (the Master Boot Record (MBR)) into the system firmware BIOS (paragraphs 0017, 0020).

Rickey further discloses additional protection features that permit access to specified areas of a hard drive. Specifically, Rickey discloses writing a password into a nonvolatile memory, which password grants access to use of a SETMAX command that sets the maximum size of the hard drive. Accordingly, because areas of the hard drive that are outside of the location originally defined (at initialization) by the SETMAX command can only be accessed through use of the SETMAX password, the password-accessible area is relatively secure from viruses (paragraphs 0065, 0066).

Rickey, however, fails to disclose adjusting a size of a partition of a hardfile in response to detecting a boot condition during a pre-boot test of a computer system. Instead, as discussed above, Rickey discloses altering a SETMAX parameter in response to receiving a password (after a size of the hard drive has already been set – i.e., after initialization) (paragraph 0065). Consequently, Rickey fails to disclose adjusting a size of a partition of a hardfile in response to detecting a boot condition during a pre-boot test of a computer system, as required by claim 1 (emphasis added).

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C. The claim has limitations not taught by either reference

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Both Eckardt and Rickey fail to disclose adjusting a size of a partition of a hardfile in response to detecting a boot condition during a pre-boot test of a computer system, as required by claim 1. Consequently, the combination of Eckardt and Rickey cannot render claim 1 obvious.

For at least these reasons, Applicant submits that claim 1, and the claims that depend therefrom, are allowable over Eckardt and Rickey.

D. Other Independent Claims

Claims 13-19, 23 and 28 each incorporates limitations similar to those of claim 1. Claims 13-19, 23 and 28 (and the claims that depend therefrom) are also allowable over Eckardt and Rickey for reasons corresponding to those set forth with respect to claim 1.

E. Independent Claim 28

In addition to the reasons set forth above in connection with claim 1, claim 28 is further allowable over Eckardt and Rickey for the following reasons. In particular, claim 28 recites "dynamically adjusting a size of a partition of the hard drive *during the power on self-test*" to exclude access of an operating system to one or more of user data or software applications in a first portion of a hard drive. Neither Eckardt nor Rickey discloses dynamically adjusting a size of a partition of a hard drive during a power on self-test.

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Applicant submits that claims 1-6 and 13-30 should be in condition for allowance.

Should any unresolved issues remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
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